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October 4, 2019

VIA ECF

Hon. Brian Martinotti
United States District Judge
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, NJ 08608

Re: Sandoz, Inc. and RareGen, LLC v. United Therapeutics Corporation and Smiths Medical ASD, Inc., Civil Action No. 3:19-cv-10170 (BRM) (LHG)

Dear Judge Martinotti:

I write on behalf of Plaintiffs RareGen, LLC ("RareGen") and Sandoz, Inc. ("Sandoz") in the above-referenced case concerning an accident that was made during Plaintiffs' filing of their Motion in Support of a Preliminary Injunction.

RareGen's counsel has a professional clerk that makes large filings. This clerk is highly experienced in ECF filings, is familiar with the relevant rules and orders of this Court, and is supervised by counsel of record in this case. The clerk was instructed to file the documents in Docket No. 106, which included Plaintiffs' Memorandum In Support of Plaintiffs' Motion For Preliminary Injunction, under seal. But he accidentally placed Docket No. 106 on the public docket.

When Plaintiffs' counsel learned that the brief had been publicly filed, Plaintiffs' counsel immediately called the New Jersey District Court ECF Assistance Lines for Camden, Newark, and Trenton and wrote an email to ecfhelp@njd.uscourts.gov requesting that Docket No. 106 be sealed or alternatively, withdrawn to enable Plaintiffs to refile under seal. As of tonight, we have been unable to reach anyone that can assist us.

To protect information of both Plaintiffs and Defendants that has been marked as confidential and highly confidential, Plaintiffs respectfully request that the Court remove Docket

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No. 106 from the public docket, allow Plaintiffs to refile under seal, and instruct any persons receiving Docket No. 106 in error to destroy it.

Respectfully submitted,

/s/ Thomas D. Pease

Thomas D. Pease